

PATENT

585AAA

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Applicant(s): Joerg Schlieffers, *et al.*

Serial No: 09/835,733

Filing Date: April 16, 2001

Examiner: Diane L Lee

Art Unit: 2876

Title: DATA ACQUISITION APPARATUS

**Mail Stop Non-Fee Amendment**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, Virginia 22313-1450**

---

**Terminal Disclaimer to Overcome a Double  
Patenting Rejection (37 CFR §1.321(c))**

---

Dear Sir:

I, Himanshu S. Amin, represent that I am an attorney of record for application Serial No. 09/835,733 filed April 16, 2001, entitled DATA ACQUISITION APPARATUS. The terminal part of any patent granted on the above-identified patent application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 of United States Patent Nos. 5,979,770 and 6,244,513 as presently shortened by any terminal disclaimer, is hereby disclaimed, except as provided below, and it is hereby agreed that any patent so granted on the above-identified patent application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to United States Patent Nos. 5,979,770 and 6,244,513 this agreement to run with any patent granted on the above-identified patent application and to be binding upon the grantee, its successors or assigns.

09/835,733585AAA

In making the above disclaimer, disclaimant does not disclaim any terminal part of any patent granted on the above-identified patent application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of United States Patent Nos. 5,979,770 and 6,244,513 as presently shortened by any terminal disclaimer in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by a terminal disclaimer, except for the separation of legal title stated above.

Authorization is hereby granted to charge Deposit Account No. 50-1063 the fee \$110.00 (Ref. No. TELNP226USA) associated with this Terminal Disclaimer. In the event any additional fees are due in connection with the filing of this document, the Commissioner is authorized to charge those fees to the same Deposit Account No.

Respectfully submitted,  
AMIN & TUROCY, LLP



Himanshu S. Amin  
Reg. No. 40,894

AMIN & TUROCY, LLP  
24<sup>TH</sup> Floor, National City Center  
1900 E. 9<sup>TH</sup> Street  
Cleveland, Ohio 44114  
Telephone: (216) 696-8730  
Facsimile: (216) 696-8731

RECEIVED  
CENTRAL FAX CENTER  
SEP 04 2003

OFFICIAL